

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JONATHAN MARRA,

Plaintiff,

v.

EQUIFAX INC.

Defendant.

Civil Action No. 1:19-cv-8901

**DEFENDANT EQUIFAX INC.’S NOTICE OF REMOVAL
PURSUANT TO 28 U.S.C. § 1331 (FEDERAL QUESTION)**

Defendant Equifax Inc. (“Equifax”) files this Notice of Removal of this action from the Civil Court of the City of New York, County of New York, to the United States District Court for the Southern District of New York. This Notice of Removal is filed pursuant to 28 U.S.C. §§ 1441 and 1446. In support hereof, Defendant shows this Court as follows:

1. An action was filed on or about August 28, 2019 in the Civil Court of the City of New York, County of New York, entitled *Jonathan Marra v. Equifax Inc.*, Index No.: CV-022442-19/NY (the “State Court Action”).

2. Equifax was served with the State Court Action summons and endorsed complaint on September 5, 2019 (the “Complaint,” attached as Exhibit A).

3. This Notice is being filed with this Court within thirty (30) days after Plaintiff’s service of the Complaint on Equifax.

4. This Court has original jurisdiction over this case under 28 U.S.C. § 1331 because it is a civil action arising under the Constitution, laws, or treaties of the United States. Specifically, Plaintiff’s Complaint, on its face, alleges violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* (“FCRA”). See Ex. A (referring to “BREACH OF THE FAIR

CREDIT REPORTING ACT").

5. The FCRA, pursuant to 15 U.S.C. § 1681(p), provides that any action alleging a violation of its provisions "may be brought in any appropriate United States district court, without regard to the amount in controversy . . ."

6. Pursuant to 28 U.S.C. § 1441(a), venue of the removal action is proper in the United States District Court for the Southern District of New York because the county from which the State Court Action is being removed (New York County) lies within that federal court's jurisdiction.

7. Promptly after the filing of this Notice of Removal, Equifax shall give written notice of the removal to Plaintiff and to the Clerk of the Civil Court of the City of New York, County of New York, as required by 28 U.S.C. § 1446(d).

8. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings and orders served upon Equifax in the State Court Action are attached hereto as Exhibit A.

9. Equifax is the only defendant, and it consents to removal.

WHEREFORE, Equifax respectfully provides notice of removal of the above-described action to this Court.

DATED: September 25, 2018

Respectfully submitted,

/s/ Robert Gray
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